

**From:** [Miller, Garyg](#)  
**To:** [Sanchez, Carlos](#); [Foster, Anne](#); [Leos, Valmichael](#); [Todd, Brandi](#)  
**Cc:** [Meyer, John](#)  
**Subject:** RE: San Jacinto  
**Date:** Thursday, February 04, 2016 11:38:56 AM

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Anne,

I discussed this with Valmichael yesterday; he told me that when the dive team probed the compromised area there were parts where no rock was present, so the statements about total coverage with rock is not consistent with that. The dive team report should document this.

Regards,

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**From:** Sanchez, Carlos  
**Sent:** Thursday, February 04, 2016 11:28 AM  
**To:** Foster, Anne; Miller, Garyg  
**Cc:** Meyer, John  
**Subject:** RE: San Jacinto

We still do not know what happened in the depressed area.

However, I believe that there are pictures showing the exposed dioxin materials prior to cap placement.  
Surveys conducted in the area of exposed dioxin (prior to cap placement) show a big chunk (technical term) of the pits gone.

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**From:** Foster, Anne  
**Sent:** Thursday, February 04, 2016 11:19 AM  
**To:** Miller, Garyg  
**Cc:** Sanchez, Carlos; Meyer, John  
**Subject:** San Jacinto

I had a call with the attorneys for IP and MIMC. During the call, the IP in-house attorney said that there was not actually a breach in the cap; that some thickness of rock/gravel/shell was present in all areas; and that the sediment sample dioxin hits from the “depressed” area were actually the result of the sampling probes breaching the cap material in the process of getting the samples. He said this was all documented in the Completion Report of the cap repair.

I reviewed the Completion Report, as this was not my understanding of events. The report states



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that “[t] presence of an estimated minimum of 3 inches of armored cap material was confirmed at all locations probed within the Delineated Area.” Is that true? If it is not true, or is misleading, then we need to direct the PRPs to correct the Completion Report. We also need to review the Dive Team’s report for information to the contrary.

I did not find information in the Completion Report about the sampling results being the result of the sampling probes digging into the material (as opposed to being on top, exposed to the water). The report only says that the sediment samples from the cap included cap material, shells and sand in various ratios. The IP attorney who talked about this also said that the PRPs had expert opinions that it was the probing that resulted in the dioxin hits. Any thoughts?

The IP attorneys also reiterated that they had developed extensive expert testimony for the trial to the effect that dioxin is hydrophobic, and that it didn’t go anywhere before the cap was in place, and isn’t going anywhere now. You mentioned University of Houston studies from the early 1990s showing elevated site dioxin in the river; do we have any other river samples up and downstream showing site dioxin in the surface water? Is there a dioxin expert in HQ who can help us with the hydrophobic issue?

Thanks.